

REMARKS

The Final Office Action mailed July 27, 2004 and references cited therein have been reviewed. Applicants have canceled claims 1-87, 96-99, 116, 120, 123, 126, 129-132, 136, amended claims 88-95, 103, 112-114, 117-119, 133-135 and added new claims 141-145.

THE SECTION 102 REJECTIONS

Independent claims 88 and 114 require that 1) the frame mount assembly is designed to be substantially non-detachably mountable to a frame at a front end of the vehicle without connection to a front bumper of the vehicle, 2) the frame mount assembly is positioned substantially below a bottom level of the front bumper, behind a front surface of the front bumper, and substantially fully positioned under the front end of the vehicle when mounted to the vehicle, 3) the support assembly is detachably connected to a connection arrangement of the frame mount assembly, 4) said connection arrangement at least partially positioned below the bottom level of the front bumper and substantially positioned under the front end of the vehicle when said frame mount assembly is mounted to the vehicle, 5) the connection arrangement fully securing the support assembly to the frame mount assembly, and 6) the plow mount assembly pivotally connected to the support assembly and spaced forwardly from the frame mount assembly when the support assembly is connected to the frame mount assembly and the frame mount assembly is connected to the support assembly. All these structural limitations are not disclosed in the cited references.

A. Malinowski

Claims 88-97, 100-104, 106, 114-120, 124, 130, 133, 136-138 and 140 were rejected under 35 U.S.C. §102(e) as being anticipated by Malinowski.

The Examiner asserted that Figure 7 of Malinowski discloses a frame mount assembly (including 42), a support assembly (including members 54) having a connection end (including 58),

and a plow mount assembly, with the plow mount assembly detachably connected to the support assembly and including a leg support 48. The Examiner also asserted that latch bars 50 and 52 constituted removable pins and sockets 58 and 60 constituted guide sections.

The quick connect assembly of Malinowski is structurally different from the snowplow blade mount assembly defined in the pending claims. Malinowski discloses two connection arrangements for a snow plow. One embodiment is illustrated in Figures 1-6 and the second embodiment is illustrated in Figures 7-12. The first embodiment does not meet structural limitations 2 and 4-6. Figures 1-6 illustrate that the structure used to connect the snowplow blade to the dozer is secured to the front and back bottom regions of the dozer. Structural limitation 2 requires the frame mount assembly to be substantially fully positioned only at the front end of a vehicle. Structural limitations 4 and 5 require that the support assembly to be fully connected to the frame mount assembly by the connection arrangement. Since the frame mount assembly is substantially fully positioned at the front end of a vehicle, the connection arrangement also must be located in the same region to fully connect the support assembly to the frame mount assembly. As illustrated in Figures 1-6, the structure used to connect the snowplow blade to the dozer is secured to the front and back bottom regions of the dozer, thus do not satisfy structural limitations 4 and 5 of the pending claims. In addition, the structure used to connect the snowplow blade to the dozer as shown in Figures 1-6 does not pivotally connect the plow mount assembly to the support assembly and is spaced forwardly of the frame mount assembly when the support assembly is connected to the frame mount assembly and the frame mount assembly is connected to the support assembly. The only pivoting of the plow mount assembly is shown in Figure 5 wherein the assembly is connected and disconnected from the dozer with pivoting, is on the frame mount. As such, the embodiment illustrated in Figures 1-6 of Malinowski does not anticipate any of the pending claims for at least the reasons set forth above.

In the second embodiment as illustrated in Figures 7-12 of Malinowski, structural limitations 2 and 4-6 are not met. Figures 7-12 illustrate that the structure used to connect the snowplow blade to the dozer is secured to the side of the dozer. Structural limitation 2 requires the frame mount assembly to be positioned substantially below a bottom level of the front bumper and substantially fully positioned under the front end of the vehicle when mounted to the vehicle. The side plate 54 illustrated in Figures 7-12 does not meet these structural limitations since the side plate is not substantially below a bottom level of the front bumper or substantially fully positioned under the front end of the vehicle when mounted to the vehicle. Structural limitations 4 and 5 require the connection arrangement to be substantially positioned under the front end of the vehicle when the frame mount assembly is mounted to the vehicle. Sockets 58 and 60 are not substantially positioned under the front end of the vehicle when the frame mount assembly is mounted to the vehicle. In addition, the structure used to connect the snowplow blade to the dozer as shown in Figures 7-12 does not pivotally connect the plow mount assembly to the support assembly and is spaced forwardly of the frame mount assembly when the support assembly is connected to the frame mount assembly and the frame mount assembly is connected to the support assembly. Structure 42 is pivotally connected directly to the frame mount, not spaced forwardly of the frame mount. As such, the embodiment illustrated in Figures 7-12 of Malinowski does not anticipate any of the pending claims for at least the reasons set forth above.

The Examiner made several comments concerning the support assembly and the frame mount assembly. The Examiner maintained that member 42 is considered to be a frame mount. Claims 88 and 114 require that the frame mount be designed to be substantially non-detachably mountable to a frame. Member 42 is detachably connected to plate 54. As such, member 42 cannot be a frame mount assembly component as defined in claims 88 and 114. Based on the defined structures of

claim 88 and 114, member 42 could only be a part of the support assembly or plow mount assembly. Only these two structures in the claims are detachably connected like member 42.

Applicants submit that the pending claims are not anticipated by Malinowski.

B. Behrens

Claims 88-105, 107, 108, 112, 114-119, 124, 130, 133, 136, 137 and 140 were rejected under 35 U.S.C. §102(e) as being anticipated by Behrens. The Examiner asserted that Behrens discloses a snowplow blade mount having all of the claimed structural components. The Examiner asserted that the frame mount assembly was structure 32 and the support assembly as structure 26. Such an analysis is contrary to the claims. The frame mount assembly is designed to be substantially non-detachably mountable to a frame at a front end of the vehicle. Structure 32 cannot meet these structural requirements. Structure 26 of Behrens more closely complies with the structural requirements of the pending claims; however, structure 26 is not positioned substantially below a bottom level of the front bumper and substantially fully positioned under the front end of the vehicle when mounted to the vehicle. Structure 26 is shown to partially extend above the bumper 28 and also extends above the under side of the front end of the vehicle.

The snowplow mount assembly of Behrens is structurally different from the snowplow blade mount assembly defined in the pending claims. The snowplow mount structure of Behrens does not meet structural limitations 2 and 6. As stated above, structure 26 is not positioned substantially below a bottom level of the front bumper and substantially fully positioned under the front end of the vehicle when mounted to the vehicle, thus contrary to structural limitation 2. Structure 32, which most closely resembles the plow mount assembly, is not both pivotally connected to the support assembly, which most closely resembles structure 38 or 40, and spaced forwardly from the frame mount assembly when the support assembly is connected to the frame mount assembly and the frame

mount assembly is connected to the support assembly. Structure 32 is directly pivotally connected to structure 26, thus is contrary to structural limitation 6. As such, the embodiment illustrated in Behrens does not anticipate any of the pending claims for at least the reasons set forth above.

C. Pieper

Claims 88-105, 107-109, 112, 114-120, 124, 130, 133, 136, 137, 139 and 140 were rejected under 35 U.S.C. §102(e) as being anticipated by Pieper. The Examiner asserted that Pieper discloses a snowplow blade mount having all of the claimed structural components. The snowplow mount assembly of Pieper is structurally different from the snowplow blade mount assembly defined in the pending claims. The snowplow mount structure of Pieper does not meet structural limitations 1 and 2.

The plate 36 of the frame mount structure of Pieper is partially secured to the side of bumper 24 as shown in Figure 1. Thus structural limitation 1 is not met by the snowplow mount structure of Pieper. Plate 36 is not positioned substantially below a bottom level of the front bumper or substantially positioned under the front end of the vehicle when mounted to the vehicle. As such, structural limitation 2 is not met by the snowplow mount structure of Pieper. Pieper does not anticipate claims 88 or 114 and any of the claims dependent on such claims for at least the reasons set forth above.

The Examiner asserted that Pieper discloses a frame mount assembly located below the bumper. The Examiner's assertion ignores plate 36 which is used to secure the mount frame 28 to the vehicle. (Col. 4, lns. 1-5 and Figures 1-3). The Examiner's conclusions are contrary to the disclosure and teachings of Pieper.

Applicants submit that none of the cited art of record alone or in combination anticipates or makes obvious any of the claims pending in the present application for at least the reasons set forth

above.

THE SECTION 103 REJECTIONS

Claims 109 and 139 were rejected under 35 U.S.C. §103(a) as being unpatentable over Malinowski in view of Pieper; or Behrens in view of Pieper. As set forth above, these do not disclose, teach or suggest the plow mount assembly defined in claims 88 and 114. Consequently, claims 109 and 139 which ultimately depend from claims 88 and 114, respectively, are not obvious in view of Malinowski, Behrens and/or Pieper.

Claims 121-123, 125-129, 131, 132, 134 and 135 were rejected under 35 U.S.C. §103(a) as being unpatentable over Malinowski, Behrens or Pieper. As stated above, Malinowski, Behrens and/or Pieper do not disclose, teach or suggest the plow mount assembly defined in claim 114. Consequently, claims 121-123, 125-129, 131, 132, 134 and 135 which ultimately depend from claim 114 are not obvious in view of Malinowski and Pieper.

The Examiner took official notice that fixed pins and removable pins are obvious substitutes. Applicant agrees that the use of fixed pins and removable pins in various devices is not new; however, the use of only new never before used components is not a prerequisite for patentability. Only the combination need be new. Applicant submits the use of fixed pins and removable pins to connect and disconnect various components of a snowplow mounting arrangement is not disclosed in the cited art of record as acknowledged by the Examiner.

Claims 110, 111 and 113 were rejected under 35 U.S.C. §103(a) as being unpatentable over Behrens in view of Willis; or Pieper in view of Willis. Willis was cited as disclosing a deflector flap on a snowplow blade. Willis is absent any teachings concerning the frame mount assembly, support assembly or plow mount assembly that is defined in the claims of the present invention. As set forth above, Behrens and/or Pieper do not disclose, teach or suggest the plow mount assembly defined in

claim 88. Consequently, claims 110, 111 and 113 which ultimately depend from claim 88 are not obvious in view of Behrens and Willis; or Pieper and Willis.

Claim 110 was rejected under 35 U.S.C. §103(a) as being unpatentable over Malinowski in view of Willis. As stated above, Willis was only cited as disclosing a deflector flap on a snowplow blade. As set forth above, Malinowski does not disclose, teach or suggest the plow mount assembly defined in claim 88. Consequently, claim 110 which ultimately depends from claim 88 is not obvious in view of Malinowski and Willis.

For at least the reasons set forth above, none of the pending claims are obvious in view of the cited art of record.

PATENTABILITY DISTINCT DEPENDENT CLAIMS

Applicants submit that several of the dependent claims include patentably distinct features that are not anticipated or made obvious from the cited art of record. These dependent claims include 89, 90, 91 and 107.

Applicants submit the claims presently pending in the above-identified patent application are in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,
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